

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

AURELIO ROY ROMERO,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-05-1207-HE
)	
ERIC FRANKLIN, Warden,)	
)	
Respondent.)	

ORDER


Petitioner Aurelio Romero, a *pro se* state prisoner, instituted this action pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. Pursuant to 28 U.S.C. § 636(b)(1)(B), this matter was referred to Magistrate Judge Bana Roberts, who recommended that the petition for writ of habeas corpus be denied and that petitioner's request for appointment of counsel and for an evidentiary hearing also be denied.

Petitioner has submitted an objection to the Report and Recommendation. Most of the issues raised by petitioner are not relevant to the consideration of his petition and those that may have some relevance are essentially the same as those thoroughly considered and addressed by the Magistrate Judge in her Report and Recommendation.

Having considered the petitioner's objections and having conducted a de novo review, the court concurs with the Magistrate Judge's conclusions. Accordingly, the court **ADOPTS** the Report and Recommendation and **DENIES** the petition for writ of habeas corpus [Doc. #1] and **DENIES** petitioner's request for appointment of counsel and for an evidentiary hearing, contained in his reply brief [Doc. #17].

IT IS SO ORDERED.

Dated this 20th day of March, 2007.



JOE HEATON
UNITED STATES DISTRICT JUDGE